GOVERNMENT OF INDIA
HEAVY INDUSTRIES AND PUBLIC ENTERPRISES
LOK SABHA

UNSTARRED QUESTION NO:3145
ANSWERED ON:22.03.2002
ENGAGING CONTRACT LABOURERS IN PUBLIC SECTOR UNDERTAKINGS
THAAWAR CHAND GEHLOT

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

(a) the details of the Central notification issued in 1976 concerning engaging the contract labourers in public sector undertakings;

(b) whether the Supreme Court has cancelled the above notification;

(c) if so, the date on which the notification has been cancelled along with the reasons therefore; and

(d) the new policy formulated by the Government after the aforesaid order has been cancelled by the Supreme Court?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLAI KATHIRIA)

a) The Central Government vide Notification S.O.No.779(E) dated 9.12.76 prohibited employment of contract labour in the jobs of sweeping, cleaning, dusting and watching of buildings owned or occupied by establishments in the Central sphere except outside cleaning and other maintenance operations of multi-storeyed buildings which require specialized experience.

(b)&(c): A five judge Constitution Bench of the Supreme Court in the case of SAIL Vs. National Union of Waterfront Workers & Others in their judgment dated 30.8.2001 have quashed the said Notification holding that it is ex-facie contrary to the postulates of Section 10 of the Contract Labour (Regulation & Abolition) Act, 1970.

d) : If the aggrieved parties approach the Central Government for issuance of a notification under Section 10 of the Act in respect of an individual establishment, appropriate action would be taken in accordance with provisions of the act.